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UNCLAS SECTION 01 OF 02 KUWAIT 000317

SIPDIS

NEA/ARP, CONSULAR AFFAIRS

E.O. 12958: N/A

TAGS: PTER PGOV CONS PREL KU

SUBJECT: ENSURING THE CLASS ENTRY SYSTEM IS ACCURATE AND UP  
TO DATE

¶1. This is an action request. Please see para 6.

Summary:

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¶2. The recent border crossing experience of a key Embassy contact who alleges excessive and invasive scrutiny during his recent trip to meet with RAND officials in California leads post to question what process or procedures are in place to expunge questionably sourced information or otherwise update information from SAO lookout files. As the Department is already well aware, our lengthy SAO delays and, in some cases, the treatment at our ports of entry of persons otherwise well-disposed to the U.S. continue to negatively impact our relationship with our important allies, such as Kuwait. End Summary.

Excessive Scrutiny at Port of Entry

¶3. A key Embassy political contact, Dr. Abdullah Sahar, conveyed to poloff his distress over how he was subjected to excessive, intrusive scrutiny on separate occasions at both JFK and LAX international airports during his February 9-15 visit which was undertaken, ironically, to examine methodology for improving security cooperation between the US and Kuwait. Post subsequently learned that, in a review of Sahar's case, inaccuracies and inconsistencies in data input or deletion may have led to overly aggressive questioning of this key embassy contact. When Dr. Sahar received his visa in February 2007 he had no hits in CLASS. For reasons that are not clear, a direct hit for him was subsequently entered on May 11, 2007 (TSC 1261374). Post viewed this hit on February 19, 2009 but later noticed that it was subsequently removed on or before February 26 (again for reason that are not clear). Therefore, at some point after Sahar's February LAX 15 security interview, Sahar was apparently de-watchlisted. While the May 2007 hit, which prompted the extra scrutiny, was clearly directed at Sahar, its presence, and later deletion, raises other issues:

-- Why did the Department not revoke Sahar's visa in May 2007 if he warranted a direct hit?

-- Sahar uneventfully entered the U.S. in December 2008. Did POE inspectors miss this direct hit then?

-- Why was Sahar stopped and interviewed (e.g. at JFK and LAX) twice?

Bio note:

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¶4. (SBU) Sahar, one of the more highly-positioned Shi'a in Kuwaiti power circles, is a valued embassy resource on internal political dynamics and Iran. He has a close, personal relationship with the Amir and advises him

frequently. He is a political science professor at Kuwait University and regularly consults with the Kuwaiti National Security Bureau on security matters. He was sent on this particular trip by NSB director Shaykh Ahmed Al-Fahad with a mandate to meet with RAND and to submit a report on his findings to NSB. He has at least three children who are US citizens.

Too Many Unsubstantiated Hits...

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¶ 5. CLASS is replete with incomplete data to the extent that much information of real intelligence value is potentially being overlooked. Also, CLASS entries with common names and no other biographical data continue to be dumped into an already bloated system. Post has seen several recent examples:

-- Ali, Muhammad (TSC 3917360), no date or place of birth. Hit was entered on February 17, 2009. (Note: The Department removed this hit once Post raised the matter to its attention. End note).

-- Ali, Sayed (TSC 3866356), no date or place of birth. Hit was entered February 2.

-- Hassan, Mohamed (TSC 3962280), no date or place of birth. Hit was entered March 5.

-- Majid, Husayn (TSC 3974097), no date or place of birth. Hit was entered March 10. (Note: This hit caused an inexcusable delay of an urgent medical case. End note.)

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... Cause Undue Delays and Inconsistencies

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¶ 6. Action Request: Post requests, in order to minimize the chances of misidentifying innocent travelers (including important contacts), as "persons of concern," clarification of existing procedures for the elimination or scrubbing of "hits" that do not contain the requisite information needed to verify identity. Perhaps updating the system would also accelerate otherwise painfully slow clearance times. (Note: Some applicants have remarked that "Port of Entry" officials seem able to resolve in a matter of a few hours these "hits" in the system that the Department takes multiple months to clear. Do these port officials have additional information available to them? Meanwhile, in an apparent inconsistency, even those travelers with a high likelihood of requiring Security Advisory Opinions are able to travel on existing visas. End note).

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JONES